IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI DELTA DIVISION

WILLIAM T. DARBY, INDIVIDUALLY)
AND ON BEHALF OF THE WRONGFUL)
DEATH BENEFICIARIES OF MINNIE	
E. DARBY, DECEASED,)
Plaintiff,))) Case No.: 2:05cv191 WAP-EMB
vs.)
MERCK & CO., INC. and)) JURY DEMAND
JOHN DOES 1-10,)
Defendants.)

ORDER GRANTING STAY PENDING TRANSFER DECISION BY THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

THIS CAUSE came before the Court on the motion of Defendant Merck & Co. Inc. to stay all pre-trial proceedings in this action, pending its likely transfer by the Judicial Panel on Multidistrict Litigation to *In re VIOXX Products Liab*. *Litig*. (MDL-1657), the proceeding that has been established in the Eastern District of Louisiana to coordinate all product liability cases involving alleged health risks from VIOXX®. The Court, having considered the motion and the entire record in the cause finds that the motion is well-taken and should be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that all pre-trial proceedings in this action shall be stayed, pending its likely transfer by the Judicial Panel on Multidistrict Litigation to *In re VIOXX Products Liab. Litig.* (MDL-1657).

SO ORDERED, ADJUDGED and DECREED, this the 10th day of November, 2005.

<u>/s/ W. Allen Pepper, Jr.</u> W. ALLEN PEPPER, JR. UNITED STATES DISTRICT JUDGE